

# RICHBARNEWS

Newsletter of the Richland County Bar Association



KRISTEN HORNE  
Treasurer

IAN MCVEY  
President

AMY HILL  
President-Elect

## UPCOMING EVENTS

### Judicial BBQ

Thursday, May 16  
5:30 PM  
Seibels House

### Family Night at the Zoo

Thursday, May 30  
6:00 PM  
Riverbanks Zoo

### Memorial Service

Friday, June 14  
12:00 PM  
Judicial Center

### Save The Date 2013

Judicial Reception  
Thursday, August 23

Free Ethics CLE  
Friday, November 1

Holiday Party  
Thursday, December 12



## From the President, Ian McVey

I had planned in this Article to discuss the new law school and our need for a new Courthouse. Unfortunately, my plans were derailed somewhat by the loss of a great friend of this Association. On March 5th, Barbara Scott, our long time Clerk of Court, passed away. Ms. Scott was the Clerk of Court for Richland County from 1984 to 2008. For those of you counting, that's 24 years, which is a longer time period than what many people practice law these days.



While many young lawyers did not know Barbara Scott, I did have the pleasure of knowing her somewhat. When I was a clerk for Judge Hayes (the York County Judge Hayes), we were sent by Court Administration to Richland County for three straight weeks to hear Non-Jury matters. As any judge can attest, that means rate cases. Lots and lots of rate cases. During that time, Ms. Scott made me feel welcome and further showed me the ins and outs of the Richland County Courthouse as well as the judicial system. It was a fascinating experience and one which I have always cherished.

I recall talking to Ms. Scott about what she truly needed from our courthouse. As many of you litigators know, our courthouse is not the most technologically up to date facility. In fact, it is far from that. Even back in 2003, Ms. Scott was meeting with engineers and trying to come up with a plan to update our existing courthouse. Unfortunately, I don't believe it can be done. It was difficult then, and in my opinion, impossible now. This is no one's fault. I don't think anyone could have anticipated the rapid gains that have been made in technology and its application to trying cases when the courthouse was built.

In short, we need a new courthouse. To that end, I recently had the pleasure of sitting down at lunch with two former Presidents of this Association, both of whom are passionate about the subject of a new courthouse. It is my hope to continue having meetings with them and try to get the idea of a new courthouse off the ground. I hope that I will have more to report to you in this regard in the near future.

I am inspired in this endeavor by the South Carolina School of Law. I still recall when I first applied to the law school in the late 90s, there was a large buzz about a new law school building that was

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## From the Editor, Dave Maxfield



One of the perks of being the editor of this newsletter is that once a month I get to eat a free breakfast with the members of Richland County Bar Association's Executive Committee at their monthly meeting. I'm not sure that I'm actually supposed to be there. But my predecessor and friend Ward Bradley always was. So, if feeding a non-Committee member con-

stitutes some kind of gross malfeasance, blame Ward.

Anyway, in between stuffing myself with free Belgian waffles and remembering to restrain myself from voting on anything, I catch nuggets of news from the Executive Committee which occasionally make their way into this newsletter. Two weeks ago I caught a good one.

Henry McMaster came to talk about the new USC law school building. I have to say that I was pretty blown away by some things that Henry said. But before getting into all that, let me first admit to some skepticism. I attended USC Law from 1991 to 1994. I had some great professors; I got mediocre grades; I went to some good parties. And I went through it all with people who remain friends to this day and whom I encounter regularly as colleagues and adversaries. But the facilities? Not great. When they did asbestos abatement in the library, the plastic wrap actually made the place seem cozier.

Thus, my law school experience was kind of a mixed bag, in the course of which I accumulated a student loan debt that (while ridiculously modest by today's standards) put a serious squeeze on a 25 year old in 1994. When they started asking for money to build a new school, my response was "time served." And without much further thought, that remained my default setting. Until Henry visited us two weeks ago.

Instead of just wowing us with architectural drawings of what the school will look like (easy because they are stunning), Henry spent a lot of time talking about what the new school will be like – and more importantly, what it can mean. A great example of this is the impact the new school could have on USC's Rule of Law Collaborative.

So what is the Rule of Law? It is a system based on four universal principles:

1. The government and its officials and agents are accountable under the law.
2. The laws are clear, publicized, stable and fair, and protect fundamental rights, including the security of persons and property.
3. The process by which the laws are enacted, administered, and enforced is accessible, efficient, and fair.
4. Justice is delivered by competent, ethical, and independent representatives and neutrals who are of sufficient number, have adequate resources, and reflect the makeup of the communities they serve.

Source: <http://www.rolc.sc.edu/whatisrol.html>

These principles are what make civil societies possible. Where they are absent, there is never justice and seldom prosperity. They are foundational to everything else.

Thus, when USC President Harris Pastides announced the University's five future priorities a few years back, the only priority not focused on science was the Rule of Law initiative, which became the Rule of Law Collaborative. Seven members of the collaborative, including its Deputy Director, Joel Samuels, are USC Law professors.

I got the chance to talk with Joel about what the Collaborative was doing. He told me about the Collaborative's work not only locally, but in countries all around the world – including in some of the world's most volatile (Sierra Leone, Afghanistan, etc.). The hope is to grow the Collaborative into a national Rule of Law Center at USC, in which the new law school could play a huge part.

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## RICHBARNEWS

### Advertising Rates

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*All ads must be prepaid. Ads must be obtained by the 15<sup>th</sup> of the month previous to publication in January, March, June, September and November.*

## From the President (...cont'd from pg. 1)

going to break ground any day. Folks, I graduated from law school in 2003. I took my classes in the same “cheery” building most of you did. It is still there today.

But, as you will see from Henry McMaster’s article in this issue, that is soon going to change. The South Carolina School of Law has taken a critical step towards building a new facility, and I, for one, am very excited.

I don’t want to steal Henry’s thunder, so I will let his article explain exactly what is going on; however, by way of a brief preview, they plan to break ground soon. In the meantime, I urge you all to do what you can to support the construction of the new law school as well as our goal of a new courthouse. Stay tuned.

*Ian McVey can be reached at [ianmcvey@callisontighe.com](mailto:ianmcvey@callisontighe.com).*

## From the Editor (...cont'd from pg. 2)

And finally, that new school is really just around the corner. A few weeks ago USC’s Board of Trustees unanimously approved the financing necessary to move forward toward construction of the new buildings. Then on March 12, Columbia lawyers and alums Steve Hamm and Charles Dibble presented a gift of \$2 million for the building campaign, the funds coming from a case they successfully litigated after a 16 year fight. Interestingly, Steve was one of those great professors I mentioned above, and the person that first sparked my interest in consumer law.

I’m not the 25 year old with the student loan debt anymore. I’m the 44 year old with the kids’ tuition, soccer, groceries, house, car. But at last I’ve realized it’s time to give something to get this thing across the finish line.

Just keep those free breakfasts coming.

*Dave Maxfield can be reached at [dave@consumer-lawsc.com](mailto:dave@consumer-lawsc.com).*



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## ONLINE MEMBER DIRECTORY

Please help us have a more complete online member directory! If you go to the Member Directory on [www.richbar.org](http://www.richbar.org) and see that any of your contact information and/or headshot is missing or outdated, please e-mail the information and photo (in jpeg format) to [rcba@scbar.org](mailto:rcba@scbar.org). We will add the new information to the website as quickly as possible.

## Family Night at the Zoo



Richland County and Lexington County Bar members and their families are invited to get together for this enjoyable evening on Thursday, May 30th at Riverbanks Zoo at 6 PM. You don't have to have children to enjoy the evening. Bring your spouse or significant other for a special date night. The regular zoo guests are gone for the evening, so we will have a wonderful time having the zoo and all its animals to ourselves. Riverbanks Zoo has set aside the evening just for Bar members and their families. The zoo keepers will stay late and keep as many animals as possible outside for our viewing pleasure. There are many new animals residing at the zoo since last year that your family will enjoy seeing.

The menu will include hamburgers and hotdogs and all the trimmings. This event has been a lot of fun and many families have really enjoyed sharing the evening. Encourage your colleagues to participate and we will continue to make this an annual event. Reservations will be REQUIRED in order to prepare the right amount of food. The Zoo charges us ½ price for children 4-8 years. Children under 4 are free, therefore we need know how many children are in the 4-8 bracket you are bringing. You will receive a postcard in May with further details.

## Judicial BBQ

It is that time of year again when we honor the local members of the judiciary with a fabulous BBQ. Mark your calendars for Thursday, May 17 at 5:30 PM. This year's the event will be held at the Seibels House & Gardens. The Callison Tighe chefs will spend all day cooking the pigs. Everyone has come to appreciate their expertise in preparing a delicious feast for members and their guests. You are encouraged to go home and change into casual clothing. We also encourage you to bring your family to the event.

It is VERY IMPORTANT to let us know in advance if you are coming. We do not like to run out of food. We have live music for your listening entertainment. The cost will be \$20 per person, children under four are free, and children ages 5-10 are half price. We will post registration details on [www.richbar.org](http://www.richbar.org) soon, and you must register by May 14th.



## Memorial Proceeding Set for June

The Richland County Bar Memorial Service will be held on Friday, June 14 at 12:00 PM on the second floor of the Judicial Center. The Honorable Casey Manning will be the presiding judge. Susan Campbell and Ward Bradley, chairs of the RCBA Memorial Committee, will organize and plan the ceremony. All business in the other courtrooms ceases for that hour in honor of those being memorialized. The ceremony is dedicated to the memory of recently deceased members of the Richland County Bar Association and allows friends and family members to remember them as members of our collegium. It is equally important that we honor their service to the Bar and that we uphold the dignity of our great profession. The committee encourages you to participate by attending this special event and honoring our past members.

The ceremony will begin promptly at noon and last for one hour. You are urged to arrive on time so as not to interrupt the proceeding. Please remember that parking spaces are limited and allow time to walk. The service will be followed by a reception with refreshments that will be served in the lobby, where you will have an opportunity to speak with the families and friends of those remembered. No reservations are necessary. Those being remembered this year who died in 2012 include: Jackson Barwick, Michael Church, Deborah Ann Hottel, William H. Jackson, Hon. George W. Jefferson, William O. Kneece, George E. Lewis, Hon. Thomasine Mason, Alice S. Moore, J. Marvin Mullis, Claude Scarborough, and C. O. Warren.



# Probate Court Roundup

by Mike Polk

## Summons Required

The Probate Court would like to remind everyone that a Summons is now required in connection with all formal proceedings.

Prior to 2010, as to most probate filings there was confusion as to which matters were covered by the notice provisions in the code, which matters required a summons, and to which matters the SC Rules of Civil Procedure applied. In 2010, the Probate Code was revised to answer those questions.

Formal proceedings now require a summons and petition to be filed and served upon interested persons, including, in conservatorships, guardianships, and the like, upon the proposed protected individual. They are also governed by the rules of civil procedure.

Proceedings which require a summons include, but are not limited to, the following:

- Election of the elective share.
- Formal testacy proceedings to determine whether a decedent left a valid will, to enter an order probating a will, to set aside or to prevent informal probate of a will, or for an order that the decedent died intestate.
- Request for Part V administration.
- Removal of a personal representative.
- Partition actions in the Probate Court.
- Actions on claims in an estate.
- Appointment or removal of a guardian.
- Appointment of a conservator or other Protective Proceedings.
- Proceedings against sureties.
- As to conservators, petitions (1) requiring bond or to reduce bond, (2) requiring an accounting, (3) directing distributions, (4) removing the conservator and appointing a temporary or successor conservator, or (5) granting other appropriate relief.
- Petition for approval of accounting.
- Petition for allowance of claim denied by conservator.

As the Court receives many questions regarding the requirements for service of process and notice when new guardianship and conservatorship actions are filed, please see the most recent pocket part for Volume 21, which includes the Probate Code. The relevant Code sections with regard to new filings are: S.C. Code Ann. §§ 62-

5-309, 62-5-401, 62-5-402, 62-5-405, and with regard to the Notice of Hearing, § 62-1-401 (including the new addition, section (d)).

## Pending Revisions

As a “heads up” to anyone who practices in Probate Court, there are possible changes on the way. A probate code revision bill, S143, has been introduced in the Senate. The bill can be found at [http://www.scstatehouse.gov/sess120\\_2013-2014/prever/143\\_20130306.htm](http://www.scstatehouse.gov/sess120_2013-2014/prever/143_20130306.htm). It has received a favorable report out of the Senate Judiciary Committee. S143 does not include any revisions to Article 5 (guardianships, conservatorships, protective proceedings, and durable powers of attorney). Article 7, the Trust Code, which is about half of the bill, for the most part just fixes the Reporter’s Comments to make them South Carolina specific. Therefore the changes are not as extensive as they look.

Here are some of the proposed changes:

1. Makes a person who conceals a will liable to an aggrieved person for damages.
2. Clarifies that a personal representative named in a will can protect estate property prior to appointment.
3. Revokes beneficiary designations naming a prior spouse for life insurance and retirement plans when spouses divorce, (previously, just will provisions were revoked), and revokes the prior spouse’s interest in a revocable trust upon divorce.
4. Revokes the nomination of a killer to a fiduciary position and adds retirement plans to arrangements revoked by the Slayer Statute.
5. Provides that, if real property is sold by an agent, then the devisee under the will still receives the proceeds of sale.
6. Increases the value of property that can be sold without court approval from \$5,000 to \$10,000, and provides that approval of sale of property over \$10,000 only requires an application.
7. Allows interested heirs or devisees a first right to purchase property being partitioned.
8. Deletes the requirement of a published notice to creditors if the one-year after death creditor claims period has expired.
9. Clarifies that claims must be filed with the Probate Court, and provides that a person advancing funds to pay a claim holds the same priority as the original claimant.

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# New Law School: A Great Investment in South Carolina's Future

by Henry McMaster

Many busy people, including lawyers, may not have noticed, but the rest of the country has: South Carolina is in the spotlight and on the move. The evidence? Businesses of all kinds are moving in, including out-of-state law firms. International interest in the Port of Charleston is on the rise and national observers are predicting that the Southeast, especially South Carolina, will lead our nation's economic recovery. People who could live anywhere in the world are buying homes here.

They are all right. Why? Because our nationally acclaimed research universities and technical college system, our right-to-work laws, our strongly pro-business workforce, our unified business and political leadership, our sunshine and fertile soil, and such innovative things as the new "inland port" in Greer which will, in effect, give our deepwater port in Charleston immediate access not only to I-26, but also to I-85, one of the busiest channels of commerce in the US, all give us advantages other states can only dream of. The combination of innovation and location is hard to beat.

And we have many more advantages, one of the most significant of which will be our new law school campus at the University of South Carolina. We are close to raising the \$80 million needed for this project. The University's trustees and administration, reflecting the great confidence in our state's future required for success, recently took the steps necessary to enable construction to begin on this long-awaited project in the Spring of 2014, with classes to begin in 2016. The final contributions and pledges are being sought and made now, with Steve Hamm leading the way with a \$2 million cy pres award.

This new campus will enhance the changes already accelerating across our state. It will display the excellence necessary to attract and produce the brightest young talent in the country, including the sons and daughters of South Carolina. President Pastides counts it as his top priority. The law is at the core of every commercial transaction and enterprise, domestic or international. Commerce cannot move or flourish without skilled legal guidance. Superior professional degrees and skills are becoming increasingly necessary for success in the new knowledge economy, and we will provide them. Dean Wilcox is implementing innovative, comprehensive programs to bring the bench, bar and students together. The national rankings of our law school have already begun to climb, and that will continue, as will the University's highly acclaimed march towards excellence.

What will the new school look like? It will present a traditional appearance and be built to last. It will encompass the block bounded by Senate, Pickens, Gervais and Bull Streets, which location alone will make it unique. Other law schools are located in their state's capital city, but none are separated by just two city blocks – easy walking distance – from the Supreme Court, the Court of Appeals, the House, the Senate, the Governor's office and the Attorney General's office, not to mention the historic USC Horseshoe, numerous law firms and the National Advocacy Center. Imagine the access and insights this will give our young

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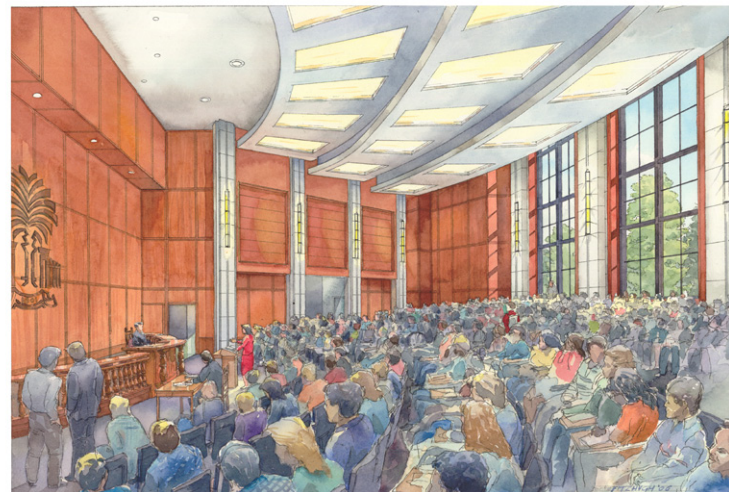
## New Law School (...continued from page 2)

people as they study law. The campus will include the historic Taylor and Horry-Guignard houses on Senate Street, which will be fully renovated for active use, adding to our presence and capacity.

The new campus will also be the home of our new Rule of Law Center. In many developing countries, people are ruled by military force, armed thugs or corrupt dictators. Our country's first center for the practical examination and teaching of the rule of law will be here. Its scholars will collect, house and disseminate information and knowledge concerning the establishment of the rule of law. Officials of the Departments of State, Justice and Defense, the U.S Agency for International Development and other persons with knowledge and experience concerning the rule of law will conduct symposia and seminars for people living without it. This unique center will enhance our state's role in national affairs as well as the educational opportunities of our young people. The leadership of Senator Lindsey Graham has been invaluable in this effort.

The new campus will also include our Children's Law Center which will be relocated to the historic Whaley House, just across Gervais Street from the new main buildings. Our center today offers a national model for child protection and advocacy training, but it lacks critical facilities. At Whaley House, guardians, child protection case workers, law enforcement officers, lawyers and judges who guide the fate of many children will have ample resources with which to receive and give instruction. With the expanded assets provided by this new campus, our Children's Law Center will become a busy hub of professional exchange, training and learning. Exterior renovation work has already begun.

Yes, South Carolina is on the move. People are taking notice. Progress is coming. And your new law school will be one of the engines powering it.



Auditorium

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*Henry McMaster is campaign chairman for the law school fundraising effort and can be reached at [hdmcmaster@gmail.com](mailto:hdmcmaster@gmail.com). Law school renditions have been provided by The Boudreaux Group.*



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# HEALTH & FITNESS

## Spring Heaving

by John Hearn



I am a good starter. I start cars, journals, my computer, diets, the Great American novel a collection of short stories, this column—no problemo. Finishing? Not so much. I guess it depends. If the finishing involves a bag of kettle-cooked potato chips, sure. But if we are talking about raking the yard? Or learning the harmonica? I guess my hero, Homer Jay, said it best: “put your guitar in the closet

next to your short-wave radio, your karate outfit and your unicycle, and we’ll go inside and watch TV.”

Thanks Homer. Nothing like a little MeTV to dull the pain of procrastination.

There are exceptions. Crunch ‘n’ Munch, for example. Incessant list-making. Recycling old jokes. These I can finish, and continue to finish—not because they are hard, but because they are easy. (Sorry, Jack.) When it comes to my fitness regimen, the same slovenly reasoning holds true. I’ve worked my way up to not parking in the handicapped space, yes, but those extra ten steps into JoJo’s FroYo are a chore.

For the past two years, though, I’ve managed to stick with one small but important part of my exercise routine. I go to yoga—or more correctly, yoga comes to me. Once a week I duck out at 5:30 and join a merry band of co-workers for a yoga class sponsored by my law firm. True, there are only three of us at present, but we go.

Yoga, as some of you probably know, is an ancient Eastern word which means “torture.” Actually, the word yoga means “union,” which makes perfect sense, as the practice of yoga doubtless sprang from the mind of one of the enemies of the Confederacy -- probably one of Sherman’s evil vegan scientists.

Our instructor is named Nala. (The names have been changed to protect the innocent.) Nala is a great teacher. She trained with both the CIA and the Mossad in advanced Yankee yoga guerilla warfare. Nala starts class with a gentle affirmation, something like: “you will

feel pain, and you will beg for mercy.”

Now, I’m not sure she actually says that, but I certainly hear it. It reverberates through my northernmost chakra as we swoop into forward fold, lift into monkey, and then, kinda, sorta, make our way to downward-facing dog. Three minutes in and I’m sweating like a pig, except that would be an insult to the pig. I am the only student who requires a mop for his mat. I’m a shvitz, she says—and I’m too scared to google than one.



Still, we persevere—warrior pose, sunflower pose, breathe through your nose while holding your toes pose—torrents of perspiration cascading onto my mat all the while. I’m long past the point of being embarrassed. I’m just glad to remain vertical.

Finally, after working on a balance move or two: falling tree pose, collapsing eagle, that kind of thing—we come to the final relaxation: shavasana, or corpse pose. (How perfectly apt, as I’m generally dead by then.) For five minutes or so, we relax on our backs, our palms to the sky, our hearts grateful even if pumping at 160 bpm.

Seriously, though, yoga is the best thing I do for myself each week. Yoga takes me as I am, and will take you as you are. I am living proof that you do not need to be thin, or young, or flexible to do yoga. I may never perfect my crow—heck, I still have problems with my mountain pose, which consists of nothing more than standing up straight—and that’s just fine.

There are tons of classes out there, studios all over town, and yoga is pretty cheap. Find your bliss—or failing that, your sweaty core—and join me.

Yo? Go.

*John Hearn can be reached at [john.hearn@rtt-law.com](mailto:john.hearn@rtt-law.com)*



## TEXT PARTE

by Eleanor Duffy Cleary



This is so exciting for me because this is an article in which I am allowed to write off the top of my head – a la John Hearn – and not worry about researching, careful word choice, or interviewing an important Richland County person. As you may have noticed, my previous assignment has been to interview Richland County judges, esteemed lawyers who could be judges if they were willing to give up their incomes (e.g. Dave Fedor and Reece Williams), and people who are arguably even more important than judges (e.g. the recently departed Barbara A. Scott and Solicitor Dan Johnson).

Not to stray too far from my subject of the last five years, I thought I would write about my experiences talking to these great people. I have interviewed Circuit Court Judges G. Thomas Cooper, Ernest Kinard, Casey Manning, and James Barber. I tried to interview Judge Childs while she was a circuit court judge but she was being vetted for her current job and was instructed not to be interviewed. I also interviewed Dottie Jones, Family Court Judge. From Richland County magistrate's court, I interviewed Judges Kirby Shealy, Nikki Hall, and Caroline Streater. City of Columbia Judges Steve Dennis and J. Steedley Bogan were also subjects of my articles. To mix it up a bit, I interviewed Commissioner Andrea Roche, who was then Chairman of the Workers' Compensation Commission. God help me if I am forgetting anyone.

My first article was in July 2008 and I chose Judge Cooper, because I have a belief that you must face your fears. He intimidated me the most but I also knew how well-respected he was. The interview with him was the first time I had ever used a digital recorder, and, yes, his law clerk had to help me turn it on. He was absolutely gracious and almost cured me of my fear of him – that is until the next time I had to appear before him and he rather firmly told me he couldn't hear me.

Judge Kinard was – and I mean this with great respect and affection – the toughest nut to crack. He did not seem to like talking about himself. Judge Manning was, not surprisingly, the most entertaining -- he was "on" that day. Judge Barber was the most interesting judge. He also provided me with a description of my late mother, Marcia Duffy, I had never heard. She called herself a political hack, but Judge Barber described her more in terms of a political boss, to


whom people had to genuflect. Cool. My dad liked that.

Judge Hall was the prettiest person I interviewed and Commissioner Roche the smartest. Solicitor Johnson is the most eloquent speaker even in a one-on-one interview.

There were several subjects with whom I could have chatted for hours, as I felt very comfortable with them. Those include Judge Jones, Judge Dennis, and Judge Bogan. Judges Shealy and Streater have the best courtroom demeanor, patient but firm. I always observe judges before I write about them and I avoid writing about judges before whom I have an active pending matter. This doesn't count all the criminal cases that have been pending since I started private practice in 2008.

As a result of my interview with the charming Dave Fedor, I received a letter from the Honorable G. Ross Anderson, Jr., Senior United

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## TECH TALK

### Free Internet Legal Research for Members of the South Carolina Bar

by Bill Latham

As they saying goes—"membership has its privileges." A benefit of being a member of the South Carolina Bar is unlimited free access to the internet legal research search engine Casemaker. Casemaker has statutory and case law authority for all 50 states and federal libraries and a detailed South Carolina library.

To access Casemaker, log on to the SC Bar website ([www.scbars.org](http://www.scbars.org)). Then select Casemaker. You will be directed to the Casemaker Web Library which has many of the features one would expect from paid online legal research. These include:

- **Search Logic** - You can connect key words and phrases using the Casemaker Web Library's search logic. This search logic allows you to narrow your search so you get the results that most closely fit with the issue you are researching.
- **Natural Language** - Simply type your question containing the key words into the basic search query box and the search engine will use its own intelligence to find the results that match the terms in your query.
- **Database Fields** - Using the advanced search screen template, you can enter specific information into fields such as citation, date, attorney, and more. Utilizing the fields will allow you to find specific information quickly.
- **Casemaker Requirements** - The only requirement for access is you are a member of the South Carolina Bar and you have a current email address on file.
- **Casemaker now has a free mobile application for Android, iPhone and iPad devices.** To use this application, you must retrieve a reference code (there is a specific code assigned to each user). To obtain this code, you must first go through the Bar's Member Login, and then click on the Casemaker link. In Casemaker, click on "Mobile application" (in the sidebar on the lower left-hand side of the page). You must complete the form with your name, email and mobile phone number, and then click Create Account to get your reference code. Once you have the code, you can go to Google Play for Android or the App Store for the iPhone and iPad to download the app. The first time you run the application on your phone or iPad, enter the reference code to access Casemaker; this is the only time you will need to enter the code.

A detailed tutorial and instructions are provided on the Casemaker page. If you still have questions, or would like to set up a training presentation by Bar staff, contact Shelby Crawford at (803) 799-6653, ext. 118 or [casemaker@scbar.org](mailto:casemaker@scbar.org). Enjoy!

Bill Latham can be reached at [bill@hytechlawyer.com](mailto:bill@hytechlawyer.com).



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# Project Salute: New Program to Assist Veterans Seeks Volunteers

By Derek A. Shoemake

The Richland County Bar Association's Young Lawyers Division is looking for a few good attorneys. The organization is seeking attorney volunteers as it launches Project Salute Richland County, a pro bono program that will assist veterans in Richland County and throughout the state with various legal issues.

"We're very excited to roll out this program," said Will Harter, the project's chairman and member of the Richland County Bar. "It gives members of the bar a chance to help those in our community who have sacrificed so much."



Will Harter, Project Chairman

According to Harter, Project Salute Richland County is a local affiliate of Project Salute, a national program established by the Mercy School of Law's pro bono veterans' clinic and the American Bar Association that travels around the country to provide training for attorneys and service clinics for veterans.

Project Salute Richland County is currently gathering volunteers and developing CLE-approved training for those volunteers. "Anyone can help. The only thing we ask of our volunteers is that they have a desire to help veterans," explained Harter. "We'll take care of getting those volunteers the information they need." In conjunction with its national partner, Project Salute Richland County will soon begin offering brief, three-hour training sessions to attorneys and law school students to enable them to assist local veterans.

With a core group of trained volunteers, Project Salute Richland County plans to hold a number of veterans' resource fairs, which the project calls "stand downs." "The stand downs are designed to provide a one-stop location for veterans to seek guidance regarding veterans' benefits," said Harter. "They can also operate as a platform to refer qualifying clients to USC's pro bono clinic or attorneys willing to represent them before the VA."


"In addition, we can bring in various service providers related to areas like housing, or health care," added Harter. "We can also bring in attorneys willing to counsel clients on non-veteran related issues."

Harter pointed out that the project's volunteers will be able to make a big difference without having to sacrifice a significant amount of time. "We all know how busy attorneys are," said Harter. "That's why


we've designed a program where, after training, a volunteer can make a huge difference by making themselves even if they are only available a few days a year."

Project Salute Richland County will initially focus its efforts in Richland County, though Harter made clear that Richland is only the beginning. "I envision partnering with other county bars or the State Bar, once we have established a viable program here in Richland," he said. "Also, we can ultimately set up a system where interested attorneys can be qualified to represent veterans before the VA."

Of course, any success will first require volunteers. "Without attorney volunteers," said Harter, "there can be no Project Salute." Anyone interested in volunteering for Project Salute Richland County can contact the Richland County Bar's Young Lawyer's Division or can contact Harter directly by email at [harter.will@gmail.com](mailto:harter.will@gmail.com), or by phone at (803) 467-7108.



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# RCBA and Central SC Habitat for Humanity's "Buildable Hours" Project

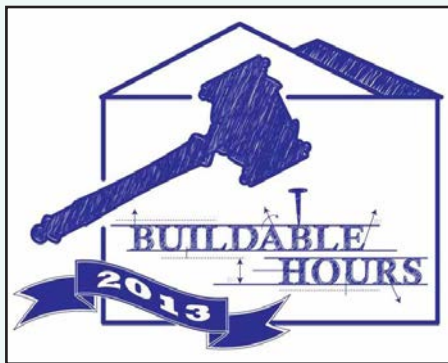


Central South Carolina  
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for Humanity®**

The Richland County Bar Association invites you to participate in "BUILDable Hours," a program that, in conjunction with Central South Carolina

Habitat for Humanity, provides attorneys, firms and their staff the opportunity to construct a home for a family in need in the Midlands. Through Buildable Hours, attorneys and firms sponsor build days and time through financial contributions and on-site labor.

Construction is tentatively scheduled to begin May 20, 2013. If you are interested in participating or have any questions, contact Ashleigh Messervy at (803) 726.0425 or [ashleigh@habitatcsc.org](mailto:ashleigh@habitatcsc.org). You can also go to <http://richbar.org/BuildableHoursProject.aspx> to learn more about this endeavor. If you would like to make a donation, please make your check payable to Central South Carolina Habitat for Humanity and send to Attn: Buildable Hours Project, 209 S. Sumter St., Columbia, SC 29201-4558.



To get up-to-the-minute updates on the project, please visit our Facebook page at <http://www.facebook.com/richlandcountybar>. We have a LONG way to go in order to reach our \$60,000 goal, so we need the help of as many Richland County Bar members as possible.

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**\$5000 Sponsors (FULL DAY):** Richland County Bar Association, Nelson Mullins Riley & Scarborough, LLP

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**OFFICE FOR RENT:** 1911 Barnwell Street. Reception area; two offices; conference room; file room; direct parking; \$625 per month, plus utilities. Call (803) 779-6365.

**HOUSE FOR SALE:** 1420 Hagood. Please see last month newsletter for details. Call 256 5200 or email [davislaw-firm@earthlink.net](mailto:davislaw-firm@earthlink.net).

**OFFICE SPACE FOR RENT:** 1313 Elmwood Avenue. Space is entire first floor of 1,400 sq. feet. New heater and air system. \$1,000.00 per month. Includes parking. Call 254-5563.

## Probate Court Roundup

(...continued from page 5)

10. Increases the value of the small estate affidavit procedure from \$10,000 to \$25,000, and allows use of the small estate affidavit for reimbursement of funeral expenses.
11. Simplifies distributions to missing heirs by allowing amounts up to \$5,000 to be paid to the State Treasurer, up from \$100.
12. Provides for establishment of different kinds of joint ownership of accounts and presumes automatic survivorship on accounts between a husband and wife.

There are a number of other changes to the existing probate code, so this list is obviously not inclusive. However, it is a starting point, and if this matter piques your interest, follow the bill at [www.scstatehouse.gov](http://www.scstatehouse.gov). If you have any comments or questions, please contact either Cathy Kennedy or Professor Alan Medlin.

# Noteworthy News & Announcements



Nexsen Pruet announces that **Bob Coble** has been re-elected as the Chair of The Columbia World Affairs Council.

Richardson Plowden announces that **Charles J. "Chuck" Webb** has been named a shareholder in the firm and that **Emily R. Gifford** and **Michelle P. Kelley** have been selected to the 2013 class of SC Bar Leadership Academy.

Baker Ravenel & Bender announces that **Robert L. Brown** has been elected a partner in the firm.

Childs & Halligan announces that **Jasmine Rogers Drain** and **Dwayne T. Mazyck** have become shareholders in the firm.

**Christian L. Rogers, Robert B. Lewis, Phillip W. Jackson II, Jenkins M. Mann and Michael H. Quinn Jr.** announce the formation of **Rogers Lewis Jackson Mann & Quinn, LLC** located at 1330 Lady St. #400. **Stephen D. Porter** has been named of counsel to the firm and **Christopher L. Boguski** has joined the firm as an associate. Phone 978-2831.

**Pope Zeigler Law Firm** announces it has been selected in two areas as *Best Lawyers in America*.

**Turner Padgett** announces that the firm has been recognized by *Benchmark Litigation* as one of four highly recommended Firms of the Year for South Carolina. The firm also announces that **John Cuttino** has been inducted into membership of the American Board of Trial Advocates.

**Steve Fitzner** has been elected to the Board

of Directors of City Year and the USC School of Dance.

Collins & Lacy announces that **Jack Griffeth** and **Jon Ozmint** has been selected as recipients of the 2013 Leadership in Law Awards, two of only 24 statewide. **Jon Ozmint** has been appointed a voting shareholder. **Aisha Taylor** has also been elected shareholder.

The firm also announces that **Joseph S. McCue** has been elected to the Board of Directors of Crossover Communications International, a global organization that seeks to spread the message of Christianity across all countries and cultures.

**Tina L. Brown** announces the opening of **The Brown Law Office LLC** located at 1201 Main St. #1980, Columbia 29201. Phone: 748-1344.

Mickle and Bass announces that SC Workers' Compensation Commissioner **Derrick Williams** has joined the Columbia office as of counsel located at 1803 Hampton St., Columbia 29201. Phone: 929-0029.

The Indian Waters Council, Boy Scouts of America has elected **Julian "Jay" Hennig III** as president.

Rogers Townsend & Thomas announces that **Lisa M. Hostetler** has been elected a shareholder in the firm and **Andrew Powell** has become an associate in the office located at 220 Executive Center Dr., 29210. Phone: 771-7900. The firm also announces that **Cynthia Durham Blair** has been selected by South Carolina Lawyers Weekly as a 2013 Leadership in Law Award.

Barnes Alford announces that **Catherine Ava Kopiec** has joined the firm located at 1613 Main St., 29201. Phone: 799-1111.

Bowman & Brook announces that **Matthew Brooks Miller** has joined the Columbia office as an associate located at 1441 Main St. 29201. Phone: 726-7420.

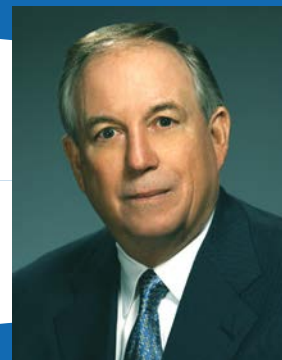
Callison Tighe announces that **Brian Lysell** has become an associate of the firm located at 1812 Lincoln St. #200. Phone: 404-6900.

Ellis Lawhorne announces that **Jonathan P. "JP" Lee** has been named a shareholder and **Lana H. Sims IV** and **Lyndey R. Zwing** have become associates of the firm located at 1501 Main St. 5<sup>th</sup> floor, 20201. Phone: 254-4190.

continued on page 15...

## Edward W. Mullins Jr. Of Counsel

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ed.mullins@nelsonmullins.com



## Noteworthy News & Announcements (...continued from page 14)

The Finkel Law Firm announces that **William R. Padget** has become a partner in the Columbia office.

Haynsworth Sinkler Boyd announces that **Dawn M. Hardesty** has become an associate in the Columbia office located at 1201 Main St. 11<sup>th</sup> floor, 29201. Phone: 779-3080.

Janet Jenner & Suggs announces that **Gerald D. Jowers Jr.** has been named partner in the firm.

Nelson Mullins announces that **Jarrett Coco, Adam Hegler, David Paavola, Brandon Smith and Blake Williams** have become associates in the firm located at 1320 Main St., 29201. Phone: 799-2000.

Gallivan White & Boyd announces that **Breon Walker** has become a partner in the firm.

Nexsen Pruet announces that **Kyle Brannon** has become an associate in the Columbia office located at 1230 Main St. #700, 29201. Phone: 771-8900.

Pennington Law firm announces that **Cara G. Cochran and Rachel M. Hutchens** have become associates in the firm located at 1501 Main St. #600, 29201. Phone: 929-1070.

**Richardson Plowden** announces the opening of its Charleston located at 40 Calhoun St. 29401. Phone: 843-805-6550.

**Paul deHolczer** announces the opening of **deHolczer Law PC** located at 1911 Barnwell St. #C Columbia 29201. Phone: 708-3242.

Ogletree Deakins Nash Smoak & Stewart announces that **Lee Gibbs Depret-Bixio** has been elected a shareholder in the firm.

**Jonathan Waller** announces the opening of **The Law Office of Jonathan Waller** located at 1720 Main St. #104, Columbia 29201. Phone: 256-0011.

**McAngus Goudelock & Courie** announces the firm in Columbia office raised over \$5000 for Family Shelter in 2012.

Fisher & Phillips announces **Karen L. Luchka** has been selected as a recipient of the *South Carolina Lawyers Weekly's* 2013 Leadership in the Law Award.

Rogers Townsend & Thomas announces that **Gary A. Pickren** has been appointed by the Real Estate Commission of the SC Department of Labor Licensing and Regulation to a task force to study seller disclosure that would affect the home-buying transaction.

## TEXT PARTE (...continued from page 9)

States District Judge, in which he proclaimed that I had “keen perception.” I’m saving that.

Reece Williams is the only subject who I got a meal out of. That’s actually because he is also a dear friend and mentor to me. Always modest, he refused to read the article until his wife insisted.

Interviewing these great people made me realize that they are also “good” people. In the last few weeks, I was reminded of that at Judge Cooper’s retirement ceremony in Columbia. He was absolutely hilarious – with his dry wit – at both events. He freely gave good-natured jabs to both lawyers and judges at the ceremony. At his portrait unveiling in Camden, I was touched when he thanked his mother, who was in the audience looking as proud as a mother whose young son had just won class president. I was reminded of their goodness at Judge Robert Hood’s swearing in ceremony. Judge Hood, who is a universally well- liked lawyer, displayed deep and

sincere emotion when he thanked his parents for their sacrifices. He also spoke of the kindness shown by his fellow judges as he settles into his new career.

I was reminded of the goodness of some great people at Barbara Scott’s recent memorial service. The people who spoke about her at the service – including Family Court Judge Leslie Riddle and Probate Judge Amy McCulloch – were not simply paying tribute to a great and influential Clerk of Court, but were speaking from the heart about a woman who had personally touched their lives and shaped their destiny.

In the end that is how we leave a lasting and meaningful legacy. All of the folks I’ve had the honor of interviewing so far have already made that positive difference in many lives.

*Eleanor Duffy Cleary (Ellen) can be reached at [edcleary@att.net](mailto:edcleary@att.net).*

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## Richland County Common Pleas Jury Verdicts

### 11-CP-40-07385

Carnaby Square, Horizontal Property Regime vs. Cindi S. Ford

Attorneys:

Plaintiff: Donald Ryan McCabe Jr.

Defendant: Brian Dumas

Cause of Action: Breach of Contract

Verdict: For Defendant

### 11-CP-40-2000

Dewayne Rhodes et al vs. Louise Smith

Attorneys:

Plaintiff: Brad Bunce

Defendant: Shannon Bobertz

Cause of Action: Auto: Personal Injury

Verdict: For Defendant

### 11-CP-40-8730

Linda Leslie Heizer vs. Toto USA Inc.

Attorneys:

Plaintiff: John McKenzie

Defendant: Kay Gaffney Crowe

Cause of Action: Products Liability

Verdict: For Defendant

### 12-CP-40 140

George L. Joyner vs. Shoshoni Shannon Nod

Attorneys:

Plaintiff: William F. Barnes III

Defendant: Karl Brehmer

Cause of Action: Auto: Personal Injury

Verdict: For Plaintiff

Actual Damages: \$18,382.27

### 11-CP-40-6908

SCE&G vs. RDS Associates LLC

Attorneys:

Plaintiff: Michael H. Quinn

Defendant: Joseph Gregory Studemeyer

Cause of Action: Property: Condemnation

Verdict: for Landowner

Just Compensation: \$482,000.00

### 11-CP-40-1980

Robert Jones vs. Builders Investment Group et.al.

Attorneys:

Plaintiff: Reece Williams

Defendant: Thornwell Sowell, David Dick

Cause of Action: Breach of Contract

Verdict: for Plaintiff

Actual Damages: \$498,000.00

## RCBA ON FACEBOOK

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